STATE WATER RESOURCES CONTROL BOARD

TYPE OR PRINT IN BLACK INK (For instructions, see booklet: "How to File an Application to Appropriate Water in California")



# California Environmental Protection Agency NOV 19 PM 11: 06

State Water Resources Control Board Division of Water Rights P.O. Box 2000, Sacramento, CA 95812-2000

DIV OF WATER RIGHTS SACRAMENTO

ASSIGNED AGENT (if any)

APPLICATION NO.

Tel: (916) 341-5300 Fax: (916) 341-5400 www.waterboards.ca.gov/waterrights

**APPLICANT** 

# **APPLICATION TO APPROPRIATE WATER**

#### 1. APPLICANT/AGENT

		Name	Milovina Vineyards	, and the state of
		Tuno	Milovina Vineyards	
	٠	Mailing Address	P.O. Box 302	
		City, State & Zip	Hopland, CA, 95449	
		Telephone	707-391-7801	
		Fax		
		E-mail		
Đ		☐ Sole Owner ☐ Limited Partner ☐ Corporation	IFORMATION (Please check type of a ☐ Limited Liability Company (Liship* ☐ Business Trust ☐ Joint Venture e names, addresses and phone numbers of	LC) Signification General Partnership*  ☐ Husband/Wife Co-Ownership ☐ Other
2000	į	additional pages if Existing ous	storing roughly 24 gare-feet	s an attachment.
	-			) )
	-			2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
	Ē	For continuation,	see Attachment No	CHANN S. C.

### 4. PURPOSE OF USE, DIVERSION/STORAGE AMOUNT AND SEASON

	a. PURPOSE		DIRECT	DIVERSION			STORAG	E	
	OF USE (irrigation,	AMO	TNUC	SEASC DIVER	ON OF SION	AMOUNT		ASON OF LECTION	
	domestic, etc.)	Rate (cfs or gpd)*	Acre-feet per annum	Beginning date (month & day)	Ending date (month & day)	Acre-feet per annum	Beginnin date (month a	g Ending date	
	Frost protection			3/4	5/15	2531		5/30	1
<b>.</b>	heart protection			7/1	4/6	6	12/1	5/50	
$\sim$	Irrigation				/1	7		130	$\dashv$
25	tre royater	Total afa			Total afa	3122	1.2.2	11/21	1
	☐ See Attachment N		If rate is les	s than 0.025 cu		econd (cfs),	use gallons	per day (gpd)	er
	b. Total combined a acre c. Reservoir storage Underground Sto d. County in which	-feet. e is: Xons orage Form	treamo .)	ffstreamu	nderground	(If undergr	ound store		
5.	uname	nts of Diver	sion (POD)	/Points of Red <u>ed S</u> +গ্eএড thence	diversion (PC 1 Russiau R	iver		tributary to	
		עו #		thence		a die		tributary to	
	POD POF	RD #						ributary to	
	POD POF	RD #	***************************************					ributary to	
	If needed, attach additi □ See Attachment No.	onal pages,	check box be	thence elow and label	attachment				
	b. State Planar and	Public Land	d Survey Co	oordinate Des	scription:				
	PORD   COORD	ORNIA DINATES D 83)	ZONE PC	DINT IS WITHII (40-acre subdivision)	SECTION	TOWN- SHIP	RANGE	BASE AND MERIDIAN	
	1 -123.12	1727	102 NIN	1/4 of SE 1/4	13	13N	12W	Mount Diablo	١
	N2,122,	135		1/4 of 1/4					
				1/4 of 1/4					
				1/4 of 1/4					
3	If needed, attach ac  See Attachment  c. Name of the post	No. 1					oint(s) of d	iversion:	

water availabil a. Have you attached If NO, provide suffi unappropriated war pages, check box b	a water avai cient informa ter is availabl	tion to demons le for the prope	strate that t osed appro	here is reaso	nable likeliho	
See Attachment N						
b. Is your project loca Resources Control ☐ YES 🕱 NO	ted on a stre Board (State	am system de Water Board)	clared to be during you	e fully approp Ir proposed s	riated by the eason of dive	State Water ersion?
c. In an average year If YES, during whic	, does the str h months? ロ	eam dry up at ] Jan □ Feb □	any point o ∃ Mar <b>⊠</b> Ap	downstream o or □ May □	of your projec Jun □ Jul □	t? 🗖 YES □ NO Aug □ Sep □ Oct
☐ Nov ☐ Dec  d. What alternate sou be excluded becau	se water is n	ot available for	r appropriat	tion? (e.g., pe	ercolating gro	undwater,
purchased water, e <u>สถานในระ</u> โอก we ปี See Attachment N	II, purchase	a, attach additi	onal pages Zivesion	unoler lice	ense 9851	A attachment
PLACE OF USE a.						
USE IS WITHIN (40-acre subdivision)	SECTION*	TOWNSHIP	RANGE	BASE &	IF I	RRIGATED
(40-acre subdivision)				MERIDIAN	Acres	Presently cultivated
NE 1/4 of SE 1/4	13 (P)	13 N	12 W	DM	9214	X YES □ NO
NW 1/4 of SE 1/4	13 (P)	13 N	12 W	MD	4.75	X YES □ NO
SE 1/4 of NE 1/4	13(P)	13 N	12W	MD	5,06	X YES □ NO
SW 1/4 of NE 1/4	13 (P)	13 N	12 W	MD	1/2	X YES □ NO
NW 1/4 of SW 1/4	18 (P)	13 N	11 W	MD	20824	X YES □ NO
SW 1/4 of NW 1/4	18(P)	13 N	11 W	MD	021	X YES INO
5w 1/4 of 5w1/4	18(9)	BN	1100	mo	· cato	YES NO
1/4 of 1/4						☐ YES ☐ NO
				Total Acres:	41.00	to 1/2/17
*Please indicate if section  See Attachment No	is projected w L Please pro 20-03,04	vith a "(P)" follow ovide the Asse &-120-14	ving the sect essor's Parc o 48 -140	tion number. cel Number(s ーの3	) for the place	of use:
PROJECT SCHEDUI Project is: ☐ proposed	LE				1000	
Extent of completion: _	AND THE RESERVE OF THE PERSON					
Estimated amount of tin	ne in years it	will take for co	onstruction	to be comple	eted:	

Estimated amount of time in years it will take for water to be put to full beneficial use:

6.

7.

8.

	CROP	ACRES	METHO	D OF	WATER USE	SEASON OF	WATER USE
		5	IRRIGA (sprinklers, flo	TION	(Acre- feet/Yr.)	Beginning date (month & day)	Ending date (month & day)
Vine	jard	41	Drip		31 1100	415	\\/\
			,		221		
D See 4	tachment No.						
b. 🗆 DC	MESTIC: N	umber of re	sidences to be	served:	Sepa	rately owned?	
LIYE	uvi Ovi∟ c llan	mber of pec ons per day	ple to be serve Area of dome	d:stic lawns ar	Estimated d nd gardens:	ally use per pe	rson is:
Incide	ntal domestic	uses:	Alou of dome	otio idwiio di	ia garaciis		square reet
P			(dust cont	rol aroa number	and kind of domestic	animala eta V	
a. ST	OCKWATERI	NG: Kind o	of stock:	He	Maximun	n number: <u>50</u>	
Descr	be type of op	eration:	of stock:	(feedlo	t, dairy, range, etc.)		
d. 🗆 RE	CREATIONA	L: Type of	recreation:	Fishing 🗆 S	Swimming 🗆 🗈	oating 🗆 Othe	ər
	NICIPAL:	100.1		J	9 —		
e. LI MC	POPULATION	ı I	MAXIMUM	MONTH	T	ANNUAL USE	
List for	5-year periods	320	W. W. CHILL	OITIII		ANNOTIC COL	
Period	is completed	ulation	Average daily	Rate of	Average daily	Acre-foot	Total
1 0110	.   тор	diation	use	diversion	use	(per capita)	(acre-feet)
			(gallons per	(cfs)	(gallons per		,
			capita)		capita)		
Preser	II.				-		
				to she at a series of the	-		
	chment No						
			year:				
Month	of minimum (	use auring y	/ear:				
			e heat controlle	ed: <u>41</u>	net acr	es	
	f crops prote			50			
	which water otection sea			50	and end	g  8/3⊙	om per acre
			(month and	day)	0.0000	(month a	nd day)
g. X FRO	OST PROTE	CTION: Are	a to be frost pr	otected:	<u>41</u> n	et acres	
	crops proted which water		negard	O gpn	n her sere		
	st protection				n per acre	She	
1110110	at protection	Season wiii	Deuill 471	2	ina ena	0/19	
	USTRIAL: T		(mon	th & day)	ınd end(ma	onth & day)	

Basis fo	r determination o	f amount	of water need	led:					
i. □ MINII Nature c	NG: Name of the of the mine:milling or process	claim:	· · · · · · · · · · · · · · · · · · ·	Minera	al(s) to	o he r	□ P	atented I	□ Unpatente
Type of	milling or process	sing:			۱۱(۵) ۱۱	5 50 1	illilou		-
After use	e, the water will b	e discharg	ged into						(watercourse
in	e, the water will b ½ of	1/4 of Sec	tion	_, T	,	R		B.	& М.
j. □ POW	/ER: Total head	to be utiliz	zed:	feet					
Maximur	n flow through the	e penstoc	k:	cfs Maxir	num t	heore	etical ho	rsepower	capable of
being ge Electrica	nerated by the work of the wor	OľKS (cfs x f 746 x effici	all ÷ 8.8):	kile	watte	at:	0/	officionov	
After use	, the water will be	e discharc	ed into	Kild	ovalis	a	/6 \	emciency /\	vatercourse)
in 1	e, the water will be 4 of 1/4 of Se	ection	, T	, R		.,	B&M.	FERC N	0.:
k. □ FISH	AND WILDLIFE F ype that will be p	PRESERV	ATION AND	OR ENHA	NCE	ЛЕNТ	: List s	pecific sp	ecies and
I. 🗆 OTHER	R: Describe use: _								
Basis for	determination of	amount o	f water need	ed:					
. DIVERSIO	ON AND DISTR	BUTION	METHOD						
	n will be by gravit		A	А					
		(dam, pi	pe in unobstru	cted channe	el, pipe	throu	gh dam,	siphon, w	eir, gate, etc.)
b. Diversion	n will be by pump	ing from:	reser vo	77					,
Pump di	scharge rate: 48	.000	□ cfs or Mo	(sump, and Horse	offset enowe	well, c	channel,	reservoir,	etc)
Pump Ef	ficiency: 75%	<del>/</del>	— 0.0 0. PQ 8	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	орош	,,		<del>17</del> 7.	
c. Conduit	from diversion po	int to first	lateral or to	offstream s	torage	e rese	rvoir:		
CONDUIT	MATERIAL	1	CROSS-SE	CTION	LEN	GTH	TC		CAPACITY
(pipe or	(type of pipe channel linin	or	(pipe dian	neter,	(fe	et)	LIFT	OR FALL	(cfs, gpd or
channel)	indicate if pig	g;	or altch dep	oth and			foot		gpm)
	is buried or n		(inches or				feet	+ or -	
Pipe	PVC		12"		280	.7	5.7	100	4700 gpm
Pipe	transit		6"		1408	3.4	23.6	~	800 gpm
Pipe .	transit		6"		65	1.4	9,5	_	800 apm
See Attach	ment No. 🕌						L		7
d. Storage r	eservoirs: (For u	ınderarou	nd storage. c	omplete ar	nd atta	ach ur	nderaroi	und stora	ae form)
RESERVOIR			AM	omproto ar	ia atte	2011 (41		ESERVOIF	
NAME	Vertical height	Construct	ion Length	Freeboa	rd:	Sur	face	Capacity	Maximum
OR	from downstream	materia		dam hei	ght		when	(acre-feet)	
NUMBER	toe of slope to spillway level			above spil crest			ull res)		depth
	(feet)			(feet)				,	(feet)
Reservoir 2	25	Soil	230	4		1,2	39	24	25
a I	1						2	20,0	
							-	10.10	

e. Outlet pip	e: Complete	e for stora		apacity of 10 acre-feet or T PIPE	more.
RESERVOIR	3,75				
NAME OR NUMBER	Diameter in inches	Length in feet	Fall: Vertical distance between entrance and exit of outlet pipe in feet	Head: Vertical distance from spillway to entrance of outlet pipe in feet	Dead Storage: Storage below entrance of outle pipe in acre-fee
井ス	12	160	0.7	24.4	2
□ See Attachr	nent No				
to off-strea  Pumpin  11. CONSERVA  a. What methor	.m storage v g □ Gravit • TION AND • ods will you	vill be y <b>D MONIT</b> use to co	cfs. Diversion to  ORING  nserve water? Explain.	t of diversion, the maxim offstream storage will be	e made by:
Valves do limit f	limut for	rast use sion	L on various variet	als, mondor weat	net to
are not was:  12. RIGHT OF A  a. Does the ap  X YES  If NO, I	CCESS oplicant owr	□ Weir  a all the late that t	Meter Periodic sai	ithin the limits of your water mpling   Other (describe the diverted, transported a written authorization allow downers and state what s	and used?
☐ See Attachme	ent No				
a. Do you claim ☐ YES X N If YES, pleas ☐ Percolation b. For each exist the point of c	n an existing NO se specify: ng groundw sting right cl liversion (to	right for: □ Riparia ater □ A laimed, st within qu	n □ Pre-1914 □ Re Adjudicated □ Other (s ate the source, year of fi	ne water sought by this a egistration  Permit [ pecify]	☐ License
☐ See Attach	ment No.				

c. List any related applications, registrations, permits, or licenses located in the proposed place of use or that utilize the same point(s) of diversion.
☐ See Attachment No
14. OTHER SOURCES OF WATER  Are you presently using, or do you intend to use, purchased water or water supplied by contract in connection with this project? **X Yes ** No If yes, please explain: purchased from Mendocing Consumant River Flood Control and Water Conservation Improvement District.
The Division cannot process your application without accurate information showing the source of water and location of water use. You must include a map with this application form that clearly indicates the quarter/quarter, section, township, range, and meridian of (1) the proposed points of diversion and (2) the place of use. A copy of a U.S.G.S. quadrangle/topographic map of your project area is preferred, and can be obtained from sporting goods stores or through the Internet at http://topomaps.usgs.gov. A certified engineering map is required when (1) appropriating more than three cubic feet per second by direct diversion, (2) constructing a dam which will be under the jurisdiction of the Division of Safety of Dams, (3) creating a reservoir with a surface area in excess of ten acres or (4) appropriating more than 1,000 acre-feet per annum by underground storage. See the instruction booklet for more information.  **See Attachment No. 1**
ENVIRONMENTAL INFORMATION
lote: Before a water right permit may be issued for your project, the State Water Board must consider the iformation contained in an environmental document prepared in compliance with the California nvironmental Quality Act (CEQA). This form is not a CEQA document. If a CEQA document has not yet een prepared for your project, a determination must be made of who is responsible for its preparation. If the State Water Board is determined to be responsible for preparing the CEQA document, the applicant will be required to pay all costs associated with the environmental evaluation and preparation of the required bocuments. Please answer the following questions to the best of your ability and submit with this opplication any studies that have been conducted regarding the environmental evaluation of your project.
6. COUNTY PERMITS  a. Contact your county planning or public works department and provide the following information:
Person contacted: Date of contact: Telephone: ()  County Zoning Designation:
Are any county permits required for your project? ☐ YES ☐ NO If YES, check appropriate box below: ☐ Grading permit ☐ Use permit ☐ Watercourse ☐ Obstruction permit ☐ Change of zoning ☐ General plan change ☐ Other (explain):
b. Have you obtained any of the required permits described above? ☐ YES ☐ NO If YES, provide a complete copy of each permit obtained. ☐ See Attachment No

17		<ul> <li>Check any add         □ Federal Ene         Management □         Dept. of Fish an</li> </ul>	litional state or for rgy Regulatory 0 I U.S. Corps of d Game □ Stat	ND REQUIREMENTS ederal permits required for Commission □ U.S. Fore Engineers □ U.S. Nat te Lands Commission □ stal Commission □ State	est Service  U. ural Res. Conser Calif. Dept. of W	vation Service  Calif.
	b	. For each agen	cy from which a	permit is required, provid	e the following in	formation:
		AGENCY	PERMIT TYPE	PERSON(S) CONTACTED	CONTACT DATE	TELEPHONE NO.
		☐ See Attachme	ent No.			
ā	c.	Does your propsignificantly alterlake? ☐ YES If YES, explain:	red or would sig	olve any construction or g nificantly alter the bed, b	grading-related a ank, or riparian h	ctivity that has abitat of any stream or
		FIRE				
		5	1000			
	b.	☐ See Attachme. Have you contact ☐ YES ☐ NO	cted the Californ	ia Department of Fish an elephone number and da	d Game concern te of contact:	ing your project?
18	ΕN	NVIRONMENTA	I DOCUMENT	_		
10,		Has any Californ		/ prepared an environme	ntal document fo	r your project?
	b.	☐ YES X NO If YES, submit a notice of determination	copy of the late ination adopted	st environmental docume by the California public a	nt(s) prepared, in gency. Public a	ncluding a copy of the gency:
	C.	☐ The applicant  I expect that  I expect that	t is a California p the State Water a California publ ocument.* Publ	and explain below, if neceptable agency and will be Board will be preparing the agency other than the ic agency:	preparing the en he environmenta State Water Boa	I document.** rd will be preparing the
		determination) payment of the	or notice of exem	a copy of the <u>final</u> environm option to the State Water Bouse filing fee. Processing o	ard. Division of W	ater Rights and proof of
		i ne informatio	n contained in the	ate Water Board, as Lead A environmental document n rection of the State Water E	rust be developed	e environmental document. by the applicant and at the Vater Rights.

19.	Will your project, during construction or operation, (1) generate waste or wastewater containing such things as sewage, industrial chemicals, metals, or agricultural chemicals, or (2) cause erosion, turbidity or sedimentation? 口 YES 文 NO If YES, or you are unsure of your answer, explain below and contact your local Regional Water Quality Control Board for the following information (See instruction booklet for address and telephone no.):
	See Attachment No
	Will a waste discharge permit be required for your project?   Person contacted: Date of contact: What method of treatment and disposal will be used?

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☐ See Attachment No.

a.	Have any archeologica	l reports been	prepared or	n this project?	☐ YES	ON X

b. Will you be preparing an archeological report to satisfy another public agency? 

YES X NO
c. Do you know of any archeological or historic sites located within the general project area?

☐ YES ☐ NO If YES, explain:	

### ☐ See Attachment No. \_\_\_\_

#### 21. ENVIRONMENTAL SETTING

Attach <u>two</u> complete sets of color photographs, clearly dated and labeled, showing the vegetation that exists at the following three locations:

- Along the stream channel immediately downstream from the proposed point(s) of diversion.
- ☐ Along the stream channel immediately upstream from the proposed point(s) of diversion.
- ☐ At the place(s) where the water is to be used.
- ☐ See Attachment No. \_\_\_\_

## SUBMITTAL FEES

Calculate your application filing fee using the "Water Right Fee Schedule Summary" that was enclosed in the application packet. The "Water Right Fee Schedule Summary" can also be viewed at the Division of Water Rights' website (www.waterrights.ca.gov).

A check for the application filing fee, payable to the "Division of Water Rights" and an \$850 check for the Streamflow Protection Standards review fee [Pub. Resources Code § 10005(a)], payable to the "California Department of Fish and Game," must accompany this application. All applicable fees are required at the time of filing. If the application fees are not received, your application will not be accepted and will be returned to you. Please check the fee schedule for any fee changes prior to submitting the application.

## **DECLARATION AND SIGNATURE**

I declare under penalty of perjury that all information provided is true and correct to the best of my knowledge and belief. I authorize my agent, if I have designated one above, to act on my behalf regarding this water right application.

1 0711 1.	1	
Signature of Applicant	Title or Relationship	
L. Melon	Antar	ulsto.
Signature of Co-Applicant (if any)	Title or Relationship	Date

Applications that are not completely filled out and/or do not have the appropriate fees will not be accepted. In the event that the Division has to return the application because it is incomplete, a portion of the application submittal fee will be charged for the initial review.

## "APPLICATION TO APPROPRIATE WATER" CHECKLIST

Before you submit your application, be sure to:

- Answer each question completely.
- Number, label and include all necessary attachments.
- Include a legible map that meets the requirements discussed in the instruction booklet.
- Include the Water Availability Analysis or sufficient information to demonstrate that there is reasonable likelihood that unappropriated water is available for the proposed appropriation.
- Include two complete sets of color photographs of the project site.
- Enclose a check for the required fee, payable to the Division of Water Rights.
- Enclose an \$850 check for the Streamflow Protection Standards review fee, payable to the Department of Fish and Game.
- □ Sign and date the application.

Send the original and one copy of the entire application to:

State Water Resources Control Board Division of Water Rights P.O. Box 2000 Sacramento, CA 95812-2000



To:

State Water Resources Control Board, Division of Water Rights

From: NCRM, Inc.

Date: August 3, 2012

Re:

Milovina Vineyards Application to Appropriate Water – Water Availability Analysis

California Water Code Section 1260(k) requires that every application for a permit to appropriate water shall include "sufficient information to demonstrate a reasonable likelihood that unappropriated water is available for the proposed appropriation." The following narrative and calculations provide the required information.

The subject Application includes a point of diversion (POD #1) on an unnamed tributary to an unnamed stream thence the Russian River in Mendocino County (see attached map). According to a search of the eWRIMS database on August 3, 2012, no water from this tributary has previously been appropriated. The subject application proposes a diversion season of December 1<sup>st</sup> to August 30<sup>th</sup>. The following describes the methodology used to demonstrate a reasonable likelihood that water is physically available for the proposed appropriation.

The attached map shows the point of diversion (POD #1), and the tributary watershed area. Precipitation data from the gauge at Ukiah, CA (049122) was chosen for its proximity, and period of record (1893-2012). Stream flow data from USGS gage 11461000 Russian River near Ukiah was used to correspond with the Ukiah precipitation data. Data from the nearest gauge (Hopland Largo Stn, 044100) was reviewed, but not chosen because the period of record ended in 1968.

The mean annual runoff for the watershed tributary to POD #1 was calculated using the "adjustment of streamflow records method" as outlined in Appendix B of the Policy for Maintaining Instream Flows in Northern California Coastal Streams by the California Environmental Protection Agency, effective September 2010.

In the proposed diversion season approximately 66.28 acre-feet of water would accrue at POD #1, this would be adequate to satisfy the requested 31 acre-foot diversion at POD #1 with 35.28 acre-feet of runoff remaining. Based on the foregoing calculations, it is reasonable to conclude that water is available for appropriation to the subject Application.

Monthly Precipitation Ukiah, CA

The state of the s	
	Mean Precipitation
Month	(in.)
Jan	7.85
Feb	6.52
Mar	4.75
Apr	2.35
May	1.07
Jun	0.35
Jul	0.04
Aug	0.08
Sep	0.45
Oct	1.9
Nov	4.66
Dec	7.24
Annual	37.26

#### Point of Diversion #1

Mean precip for requested diversion season (12/1 thru 8/30)	30.25"
Precip during requested diversion season as a percentage of total precip	81.2
Mean annual runoff (USGS gage 11461000 Russian River near Ukiah)	165931.9 af
Estimated mean seasonal runoff	134,736.7 af
Watershed area at gage	64,000 ac
Watershed area at POD	30.22 ac
Mean annual runoff at POD	81.62 af
Total estimated mean seasonal runoff for POD	66.28 af
Senior diverters of record within POD watershed	NONE
Requested diversion amount	31 afa
Total seasonal amount remaining in stream after diversion	35.28 afa

Attachment #3

